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National Energy
Board



Office national
de l'énergie

Annual Report Pursuant to Access to Information Act and Privacy Act



1 April 1998 - 31 March 1999



17 Mars 1999

National Energy Board

Annual Report Pursuant to the Access to Information Act and the Privacy Act

The Honourable Ralph Goodale, M.P.
Minister of Natural Resources Canada
550 Sussex Street
Ottawa, Ontario
K1A 0S4

Date: 17 March 1999

In accordance with the provisions of Sections 27 of the Access to Information Act and the Privacy Act, I am pleased to submit the 1998 Annual Report of the National Energy Board to the administration of these Acts for the period 1 April 1998 to 31 March 1999.

The National Energy Board is a federal agency responsible for regulating the energy sector in Canada. It is an independent body that provides advice and recommendations to the government on energy matters.

The National Energy Board is a federal agency responsible for regulating the energy sector in Canada. It is an independent body that provides advice and recommendations to the government on energy matters.

For more information, please contact the National Energy Board at 1-800-967-7669 or visit our website at www.neb.gc.ca.

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represented by the National Energy Board

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official languages.

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par l'Office national de l'énergie

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Internet : <http://www.neb.gc.ca>



27 May 1999

The Honourable Ralph Goodale, P.C., M.P.
Minister of Natural Resources Canada
580 Booth Street
Ottawa, Ontario
K1A 0E4

Dear Minister:

In accordance with the provisions of Sections 72 of the *Access to Information Act* and the *Privacy Act*, I am pleased to submit the Annual Report of the National Energy Board on the administration of these Acts for the period 1 April 1998 to 31 March 1999.

Yours truly,

Kenneth W. Vollman
Chairman

Enclosure

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I ACCESS TO INFORMATION

PART A

STATISTICAL REPORT

During the financial year 1 April 1998 to 31 March 1999, the National Energy Board ("the Board") received eleven requests for information under the *Access to Information Act*. Pertinent administrative information is provided in the Statistical Report on the next page.

REPORT ON THE ACCESS TO INFORMATION ACT

RAPPORT CONCERNANT LA LOI SUR L'ACCÈS À L'INFORMATION

Institution National Energy Board / Office national de l'énergie				Reporting period / Période visée par le rapport 1998 - 1999	
Source	Media / Médias	Academia / Secteur universitaire	Business / Secteur commercial 5	Organization / Organisme 1	Public 5

Requests under the Access to Information Act / Demandes en vertu de la Loi sur l'accès à l'information	
Received during reporting period / Reçues pendant la période visée par le rapport	11
Outstanding from previous period / En suspens depuis la période antérieure	0
TOTAL	11
Completed during reporting period / Traitées pendant la période visée par le rapport	11
Carried forward / Rapportées	0

II Disposition of requests completed / Disposition à l'égard des demandes traitées			
1. All disclosed / Communication totale	8	6. Unable to process / Traitement impossible	
2. Disclosed in part / Communication partielle	2	7. Abandoned by applicant / Abandon de la demande	1
3. Nothing disclosed (excluded) / Aucune communication (exclusion)		8. Treated informally / Traitement non officiel	
4. Nothing disclosed (exempt) / Aucune communication (exemption)		TOTAL	11
5. Transferred / Transmission			

Exemptions invoked / Exemptions invoquées							
Art. 13(1)(a)		S. Art. 16(1)(a)		S. Art. 18(b)		S. Art. 21(1)(a)	
(b)		(b)		(c)		(b)	
(c)		(c)		(d)		(c)	
(d)		(d)		S. Art. 19(1)		(d)	
Art. 14		S. Art. 16(2)		S. Art. 20(1)(a)	2	S. Art. 22	
15(1) International rel. / Relations intern.		S. Art. 16(3)		(b)		S. Art. 23	
Defence / Défense		S. Art. 17		(c)		S. Art. 24	
Subversive activities / Activités subversives		S. Art. 18(a)		(d)		S. Art. 26	

IV Exclusions cited / Exclusions citées		
S. Art. 68(a)		S. Art. 69(1)(c)
(b)		(d)
(c)		(e)
S. Art. 69(1)(a)		(f)
(b)		(g)

V Completion time / Délai de traitement	
30 days or under / 30 jours ou moins	9
31 to 60 days / De 31 à 60 jours	2
61 to 120 days / De 61 à 120 jours	
121 days or over / 121 jours ou plus	

VI Extensions / Prorogations des délais		
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Searching / Recherche	2	
Consultation		
Third party / Tiers		
TOTAL		

VII Translations / Traduction		
Translations requested / Traductions demandées		
Translations prepared / Traductions préparées	English to French / De l'anglais au français	
	French to English / Du français à l'anglais	

VIII Method of access / Méthode de consultation	
Copies given / Copies de l'original	10
Examination / Examen de l'original	1
Copies and examination / Copies et examen	

IX Fees / Frais			
Net fees collected / Frais net perçus			
Application fees / Frais de la demande	50.00	Preparation / Préparation	
Reproduction		Computer processing / Traitement informatique	
Searching / Recherche		TOTAL	\$50.00
Fees waived / Dispense de frais		No. of times / Nombre de fois	\$
\$25.00 or under /25 \$ ou moins		1	\$ 5.00
Over \$25.00 /De plus de 25 \$			\$

X Costs Coûts	
Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 3000.00
Administration (O and M) / Administration (fonctionnement et maintien)	\$
TOTAL	\$ 3000.00
Person year utilization (all reasons) / Années-personnes utilisées (raison)	
Person year (decimal format) /Annees-personnes	0.05

PART B

INTERPRETATION/EXPLANATION

This Part provides a narrative explanation of some of the figures appearing on the Statistical Report (Part A). The item numbers which follow correspond to the numbers on the Statistical Report.

I Received During Reporting Period

During the reporting period, the Board received eleven requests under the *Access to Information Act* and there were no requests outstanding from the previous reporting period.

II Disposition of Requests Completed

For two of the requests received during the reporting period, the Board disclosed only parts of the documents because the remainder were exempt under Section 20(1)(a) of the *Access to Information Act*. For one of the eleven requests, the Board advised the client of the estimated cost of providing all the documentation requested. The client did not follow up on the request. With respect to the other eight requests, all the documents requested were disclosed.

V Completion Time

For two of the requests received during the reporting period, a 30 day extension of time to respond was requested because of the amount of documents to be prepared. The requests were completed within 60 days. The remaining nine requests were completed within the 30 days specified in the *Access to Information Act*.

IX Fees

A total of \$50.00 was received for the requests submitted during the reporting period.

X Costs

The costs incurred for handling the requests and administrative matters dealing with Access to Information totalled approximately \$3 000 for 100 hours.

The Board estimates that 100 hours equates to 0.05 person year.

PART C

SUPPORTING DOCUMENTATION

I General

The Board is a regulatory tribunal and a court of record. All applications and other documents filed with the Board are public and are readily available for inspection. Since its inception, the Board has maintained its policy of providing information, a) wherever possible, b) on request, and c) promptly.

In addition to providing information on request, the Board has its own program of disseminating information on various aspects of its regulatory functions. This program includes the publication of Information Bulletins, 13 to date, news releases, 46 during the reporting period, a quarterly Regulatory Agenda together with monthly updates, the latest issue being 1 April 1999, an Annual Report, the latest covering calendar year 1998, an Electronic Board Document System and an Internet site.

The provision of information to the public is not new to the Board, and the Board encourages the public to request information informally rather than formally under auspices of the *Access to Information Act*. Although the proclamation of the *Access to Information Act* has had no impact on the standards that the Board has set for itself in its public relations, we have in place measures to administer the Act. These measures are described in the following sections.

II Organization of Access to Information Activities

Activities relating to the *Access to Information Act* are the responsibility of the Secretary of the Board, who has been designated as the Coordinator. He is assisted in his work by a Communications Officer. In addition, one of the Board's Legal Counsel provides advice, as required.

III Implementation of the *Access to Information Act*

As previously mentioned, the proclamation of the *Access to Information Act* has had little impact on the Board's public relations program or the Board's policy on information dissemination. The only impact has been of an administrative nature: procedures are in place to deal with requests received, staff and management are aware of the requirements of the Act and of the Board's procedures, and one reading room has been designated.

IV Formal/Informal Interface

The Board receives an average of 450 requests for information each month. Approximately 25 percent of these requests are of a complex nature, requiring research and co-ordination with other business units. Such requests are responded to in an average of five working days.

Neither the proclamation of the *Access to Information Act* nor the requests received under the Act have affected the number of informal requests received and disposed of by the Board.

V Institutional Policies

In view of the small number of Access to Information requests received to date, the Board has not had a need to formulate policies specifically dealing with the requirements of the *Access to Information Act* or its Regulations.

VI Delegation Instrument

The Secretary has been designated to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act, except for the power to refuse access to a record requested under the *Access to Information Act*.

A copy of the Designation Order and an Amendment to the Designation Order are attached as Appendix I and Appendix II, respectively.

NATIONAL ENERGY BOARD

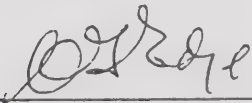


OFFICE NATIONAL DE L'ÉNERGIE

ACCESS TO INFORMATION ACT DESIGNATION ORDER

The Chairman of the National Energy Board, pursuant to Section 73 of the Access to Information Act* hereby designates the person holding the office of Secretary of the National Energy Board to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act save and except the power to refuse access to a record requested under the Act. Where the Secretary does not intend to give access to a record requested under the Act, he shall refer the request to the Standing Committee on Regulatory Process which Committee shall have the power to grant or refuse access to the record.

Dated at Ottawa this 16 day of March, 1983.



C.G. Edge
Chairman

* S.C. 1980-81-82 c. 111



National Energy Board

Office national de l'énergie

ACCESS TO INFORMATION ACT DESIGNATION AMENDMENT ORDER

The Acting Chairman of the National Energy Board, pursuant to Section 73 of the *Access to Information Act**, hereby amends the *Access to Information Act Designation Order* made on the 18th day of March 1983, at the City of Ottawa, in the Province of Ontario, by deleting the words "Standing Committee on Regulatory Process" in the text of the Order and substituting therefore the words "Executive Team".

Dated at the City of Calgary, in the Province of Alberta, this 27th day of May 1998.

A handwritten signature in cursive script, reading "K. Vollman".

Kenneth W. Vollman
Acting Chairman

* Access to Information Act R.S.C. 1985, c A-1, s. 1.

II PRIVACY

PART A

STATISTICAL REPORT

During the financial year 1 April 1998 to 31 March 1999, the Board received no requests for information under the *Privacy Act*

The Statistical Report which follows reflects this. As this is a nil report, no explanation of it is provided.

REPORT ON THE PRIVACY ACT RAPPORT CONCERNANT LA LOI SUR LA PROTECTION DES RENSEIGNEMENTS PERSONNELS

Institution National Energy Board - Office national de l'énergie	Reporting period / Période visée par le rapport 1998 - 1999
---	--

Requests under the Privacy Act / Demandes en vertu de la Loi sur la protection des renseignements personnels	
Received during reporting period / Reçues pendant la période visée par le rapport	0
Outstanding from previous period / En suspens depuis la période antérieure	
TOTAL	0
Completed during reporting period / Traitées pendant la période visée par le rapport	
Carried forward / Reportées	

Disposition of request completed / Disposition à l'égard des demandes traitées	
1. All disclosed / Communication totale	
2. Disclosed in part / Communication partielle	
3. Nothing disclosed (excluded) / Aucune communication (exclusion)	
4. Nothing disclosed (exempt) / Aucune communication (exemption)	
5. Unable to process / Traitement impossible	
6. Abandoned by applicant / Abandon de la demande	
7. Transferred / Transmission	
TOTAL	

Exemptions invoked / Exceptions invoquées	
S. Art. 18(2)	
S. Art. 19(1)(a)	
(b)	
(c)	
(d)	
S. Art. 20	
S. Art. 21	
S. Art. 22(1)(a)	
(b)	
(c)	
S. Art. 22(2)	
S. Art. 23 (a)	
(b)	
S. Art. 24	
S. Art. 25	
S. Art. 26	
S. Art. 27	
S. Art. 28	

IV Exclusions cited / Exclusions citées	
S. Art. 69(1)(a)	
(b)	
S. Art. 70(1)(a)	
(b)	
(c)	
(d)	
(e)	
(f)	

V Completion time / Délai de traitement	
30 days or under / 30 jours ou moins	
31 to 60 days / De 31 à 60 jours	
61 to 120 days / De 61 à 120 jours	
121 days or over / 121 jours ou plus	

VI Extensions / Prorogations des délais		
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Interference with operations / Interruption des opérations		
Consultation		
Translation / Traduction		
TOTAL		

VII Translations / Traductions	
Translations requested / Traductions demandées	
Translations prepared /	English to French / De l'anglais au français
Traductions préparées	French to English / Du français à l'anglais

VIII Method of access / Méthode de consultation	
Copies given / Copies de l'original	
Examination / Examen de l'original	
Copies and examination / Copies et examen	

IX Corrections and notation / Corrections et mention	
Corrections requested / Corrections demandées	
Corrections made / Corrections effectuées	
Notation attached / Mention annexée	

X Costs / Coûts	
Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$
Administration (O and M) / Administration (fonctionnement et maintien)	\$
TOTAL	\$
Person year utilization (all reasons) / Années-personnes utilisées (raisons)	
Person year (decimal format) / Années-personnes (nombre)	



PART B

SUPPORTING DOCUMENTATION

Activities relating to the *Privacy Act* are the responsibility of the Secretary of the Board, who has been designated as the Coordinator. He is assisted in his work by a Communications Officer. In addition, one of the Board's Legal Counsel and a staff member of Personnel are available to provide advice, as required. All the individuals have other responsibilities in addition to those described above.

The Chairman of the Board also delegated to the Secretary the authority to exercise his powers and perform his duties and functions in relation to the *Privacy Act*. This procedure is cited in the Designation Order, a copy of which is attached as Appendix I.

The proclamation of the *Privacy Act* has required the Board to make the appropriate administrative arrangements to deal with requests received. However, as only one request has ever been received, there has been little impact on the Board.

The Board's staff are aware of the requirements of the *Privacy Act* and the procedures to follow in order to handle all requests appropriately.

NATIONAL ENERGY BOARD

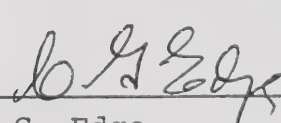


OFFICE NATIONAL DE L'ÉNERGIE

PRIVACY ACT DESIGNATION ORDER

The Chairman of the National Energy Board, pursuant to Section 73 of the Privacy Act*, hereby designates the person holding the office of Secretary of the National Energy Board to exercise the powers and perform the duties and functions of the Chairman as the head of a government institution under the Act.

Dated at Ottawa this 16 day of March, 1983.


C.G. Edge
Chairman

* S.C. 1980-81-82, c. 111

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National Energy
Board



Office national
de l'énergie

Annual Report Pursuant to Access to Information Act and Privacy Act



1 April 2001 - 31 March 2002

National Energy Board

Annual Report
Pursuant to the
Access to Information Act
and the Privacy Act

1 April 2001 - 31 March 2002

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National Energy
Board



Office national
de l'énergie

Office of the Chairman

Bureau du Président

1 May 2002

The Honourable Herb Dhaliwal, P.C., M.P.
Minister of Natural Resources
580 Booth Street
Ottawa, Ontario
K1A 0E4

Dear Minister:

In accordance with the provisions of Sections 72 of the *Access to Information Act* and the *Privacy Act*, I am pleased to submit the Annual Report of the National Energy Board on the administration of these Acts for the period 1 April 2001 to 31 March 2002.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Kenneth W. Vollman'.

Kenneth W. Vollman
Chairman

Attachment

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Calgary, Alberta T2P 0X8

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I ACCESS TO INFORMATION

PART A

STATISTICAL REPORT

During the fiscal year 1 April 2001 to 31 March 2002, the National Energy Board (the Board) received seven requests for information under the *Access to Information Act*. Pertinent administrative information is provided in the Statistical Report on the next page.

Institution National Energy Board / Office national de l'énergie				Reporting period / Période visée par le rapport 2001-2002	
Source	Media / Médias 2	Academia / Secteur universitaire	Business / Secteur commercial 1	Organization / Organisme 2	Public 2

I Requests under the Access to Information Act / Demandes en vertu de la Loi sur l'accès à l'information

Received during reporting period / Reçues pendant la période visée par le rapport	7
Outstanding from previous period / En suspens depuis la période antérieure	0
TOTAL	7
Completed during reporting period / Traitées pendant la période visées par le rapport	5
Carried forward / Reportées	2

II Disposition of requests completed / Disposition à l'égard des demandes traitées

1. All disclosed / Communication totale	4	6. Unable to process / Traitement impossible	
2. Disclosed in part / Communication partielle	1	7. Abandoned by applicant / Abandon de la demande	
3. Nothing disclosed (excluded) / Aucune communication (exclusion)		8. Treated informally / Traitement non officiel	
4. Nothing disclosed (exempt) / Aucune communication (exemption)		TOTAL	5
5. Transferred / Transmission			

II Exemptions invoked / Exceptions invoquées

S. Art. 13(1)(a)		S. Art. 16(1)(a)		S. Art. 18(b)		S. Art. 21(1)(a)	
(b)		(b)		(c)		(b)	1
(c)		(c)		(d)		(c)	
(d)		(d)		S. Art. 19(1)		(d)	
S. Art. 14		S. Art. 16(2)		S. Art. 20(1)(a)		S. Art. 22	
S. 15(1) International rel. / Art. Relations intern.		S. Art. 16(3)		(b)		S. Art. 23	1
Defence / Défense		S. Art. 17		(c)		S. Art. 24	
Subversive activities / Activités subversives		S. Art. 18(a)		(d)		S. Art. 26	

I V Exclusions cited / Exclusions citées

S. Art. 68(a)		S. Art. 69(1)(c)	
(b)		(d)	
(c)		(e)	
S. Art. 69(1)(a)		(f)	
(b)		(g)	

V Completion time / Délai de traitement

30 days or under / 30 jours ou moins	4
31 to 60 days / De 31 à 60 jours	
61 to 120 days / De 61 à 120 jours	1
121 days or over / 121 jours ou plus	

V I Extensions / Prorogations des délais

	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Searching / Recherche		1
Consultation		
Third party / Tiers		
TOTAL		1

VII Translations / Traduction

Translations requested / Traductions demandées	
Translations prepared / Traductions préparées	English to French / De l'anglais au français
	French to English / Du français à l'anglais

VIII Method of access / Méthode de consultation

Copies given / Copies de l'original	4
Examination / Examen de l'original	
Copies and examination / Copies et examen	1

I X Fees / Frais

Net fees collected / Frais net perçus			
Application fees / Frais de la demande	15.00	Preparation / Préparation	
Reproduction		Computer processing / Traitement informatique	
Searching / Recherche		TOTAL	15.00
Fees waived / Dispense de frais		No. of times / Nombre de fois	\$
\$25.00 or under / 25 \$ ou moins		3	\$ 15.00
Over \$25.00 / De plus de 25 \$			\$

X Costs Coûts

Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 2250
Administration (O and M) / Administration (fonctionnement et maintien)	\$ 500
TOTAL	\$ 2750
Person year utilization (all reasons) / Années-personnes utilisées (raison)	
Person year (decimal format) / Années-personnes (nombre décimal)	0.05



PART B

INTERPRETATION/EXPLANATION

This Part provides a narrative explanation of some of the figures appearing on the Statistical Report (Part A). The item numbers which follow correspond to the numbers on the Statistical Report.

I Received During Reporting Period

During the reporting period, the Board received seven requests under the *Access to Information Act* and there were no requests outstanding from the previous reporting period. Two of the seven requests have been carried forward into the new fiscal year.

II Disposition of Requests Completed

For one of the requests completed during the reporting period, the Board disclosed only parts of the documents because the remainder were exempt under Sections 21(1)(b) and 23 of the *Access to Information Act*. With respect to the remaining four requests, all documents requested were disclosed.

V Completion Time

Of the five requests completed during the reporting period, four were completed within the 30 days specified in the *Access to Information Act*, and for one request a 60 day extension was sought.

IX Fees

A total of \$15.00 was received for the requests submitted during the reporting period.

X Costs

The costs incurred for handling the requests and administrative matters dealing with Access to Information totalled approximately \$2 750 for 80 hours.

The Board estimates that 80 hours equates to 0.05 person year.

PART C

SUPPORTING DOCUMENTATION

I General

The National Energy Board (the Board) is a regulatory tribunal and a court of record. All applications and other documents filed with the Board are public and are readily available for inspection. Since its inception, the Board has maintained its policy of providing information, a) wherever possible, b) on request, and c) promptly.

In addition to providing information on request, the Board has its own program of disseminating information on various aspects of its regulatory functions. This program includes the publication of Information Bulletins, 13 to date, news releases, 51 during the reporting period, an Annual Report, the latest covering calendar year 2001 and an Internet site www.neb-one.gc.ca and the Regulatory Agenda publication on a monthly basis.

The provision of information to the public is not new to the Board, and the Board encourages the public to request information informally rather than formally under auspices of the *Access to Information Act*. Although the proclamation of the *Access to Information Act* has had no impact on the standards that the Board has set for itself in its public relations, we have in place measures to administer the Act. These measures are described in the following sections.

II Organization of Access to Information Activities

Activities relating to the *Access to Information Act* are the responsibility of the Secretary of the Board, who has been designated as the Coordinator. He is assisted in his work by the Regulatory Administrator. In addition, one of the Board's Legal Counsel provides advice, as required.

III Implementation of the Access to Information Act

As previously mentioned, the proclamation of the *Access to Information Act* has had little impact on the Board's public relations program or the Board's policy on information dissemination. The only impact has been of an administrative nature: procedures are in place to deal with requests received, staff and management are aware of the requirements of the Act and of the Board's procedures, and one reading room has been designated.

IV Formal/Informal Interface

The Board receives an average of 450 requests for information each month. Approximately 25 percent of these requests are of a complex nature, requiring research and co-ordination with other business unit, and the average response time is five working days.

Neither the proclamation of the *Access to Information Act* nor the requests received under the Act have affected the number of informal requests received and disposed of by the Board.

V Institutional Policies

The Board formalised its administrative procedures in the form of a manual, which was undertaken in order to ensure requests are processed in accordance with the applicable delegation documents and legislative authorities.

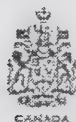
VI Delegation Instrument

The Secretary has been designated to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act, except for the power to refuse access to a record requested under the *Access to Information Act*.

A copy of the Designation Order and an Amendment to the Designation Order are attached as Appendix I and Appendix II, respectively.

APPENDIX I

NATIONAL ENERGY BOARD



OFFICE NATIONAL DE L'ÉNERGIE

ACCESS TO INFORMATION ACT DESIGNATION ORDER

The Chairman of the National Energy Board, pursuant to Section 73 of the Access to Information Act* hereby designates the person holding the office of Secretary of the National Energy Board to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act save and except the power to refuse access to a record requested under the Act. Where the Secretary does not intend to give access to a record requested under the Act, he shall refer the request to the Standing Committee on Regulatory Process which Committee shall have the power to grant or refuse access to the record.

Dated at Ottawa this 16 day of March, 1983.

A handwritten signature in cursive script, appearing to read "C.G. Edge".

C.G. Edge
Chairman

* S.C. 1980-81-82 c. 111

APPENDIX II



ACCESS TO INFORMATION ACT DESIGNATION AMENDMENT ORDER

The Acting Chairman of the National Energy Board, pursuant to Section 73 of the *Access to Information Act**, hereby amends the *Access to Information Act Designation Order* made on the 18th day of March 1983, at the City of Ottawa, in the Province of Ontario, by deleting the words "Standing Committee on Regulatory Process" in the text of the Order and substituting therefore the words "Executive Team".

Dated at the City of Calgary, in the Province of Alberta, this 27th day of May 1998.



Kenneth W. Vollman
Acting Chairman

* Access to Information Act R.S.C. 1985, c A-1, s. 1.

II PRIVACY

PART A

STATISTICAL REPORT

During the fiscal year 1 April 2001 to 31 March 2002, the Board received no requests for information under the *Privacy Act*. Pertinent administrative information is provided in the Statistical Report on the next page.

Institution National Energy Board / Office national de l'énergie	Reporting period / Période visée par le rapport 2001 - 2002
---	--

I Requests under the Privacy Act / Demandes en vertu de la Loi sur la protection des renseignements personnels		
Received during reporting period / Reçues pendant la période visée par le rapport		0
Outstanding from previous period / En suspens depuis la période antérieure		0
TOTAL		0
Completed during reporting period / Traitées pendant la période visées par le rapport		0
Carried forward / Reportées		0

II Disposition of request completed / Disposition à l'égard des demandes traitées		
1. All disclosed / Communication totale		
2. Disclosed in part / Communication partielle		
3. Nothing disclosed (excluded) / Aucune communication (exclusion)		
4. Nothing disclosed (exempt) / Aucune communication (exemption)		
5. Unable to process / Traitement impossible		
6. Abandoned by applicant / Abandon de la demande		
7. Transferred / Transmission		
TOTAL		

III Exemptions invoked / Exceptions invoquées		
S. Art. 18(2)		
S. Art. 19(1)(a)		
(b)		
(c)		
(d)		
S. Art. 20		
S. Art. 21		
S. Art. 22(1)(a)		
(b)		
(c)		
S. Art. 22(2)		
S. Art. 23 (a)		
(b)		
S. Art. 24		
S. Art. 25		
S. Art. 26		
S. Art. 27		
S. Art. 28		

IV Exclusions cited / Exclusions citées		
S. Art. 69(1)(a)		
(b)		
S. Art. 70(1)(a)		
(b)		
(c)		
(d)		
(e)		
(f)		

V Completion time / Délai de traitement		
30 days or under / 30 jours ou moins		
31 to 60 days / De 31 à 60 jours		
61 to 120 days / De 61 à 120 jours		
121 days or over / 121 jours ou plus		

VI Extentions / Prorogations des délais			
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus	
Interference with operations / Interruption des opérations			
Consultation			
Translation / Traduction			
TOTAL			

VII Translations / Traductions		
Translations requested / Traductions demandées		
Translations prepared /	English to French / De l'anglais au français	
Traductions préparées	French to English / Du français à l'anglais	

VIII Method of access / Méthode de consultation		
Copies given / Copies de l'original		
Examination / Examen de l'original		
Copies and examination / Copies et examen		

IX Corrections and notation / Corrections et mention		
Corrections requested / Corrections demandées		
Corrections made / Corrections effectuées		
Notation attached / Mention annexée		

X Costs / Coûts		
Financial (all reasons) / Financiers (raisons)		
Salary / Traitement	\$	
Administration (O and M) / Administration (fonctionnement et maintien)	\$	
TOTAL	\$	0.00
Person year utilization (all reasons) / Années-personnes utilisées (raisons)		
Person year (decimal format) / Années-personnes (nombre décimal)		0.0



PART B

SUPPORTING DOCUMENTATION

Activities relating to the *Privacy Act* are the responsibility of the Secretary of the Board, who has been designated as the Coordinator. He is assisted in his work by the Regulatory Administrator. In addition, one of the Board's Legal Counsel and a staff member of Personnel are available to provide advice, as required. All the individuals have other responsibilities in addition to those described above.

The Chairman of the Board also delegated to the Secretary the authority to exercise his powers and perform his duties and functions in relation to the *Privacy Act*. This procedure is cited in the Designation Order, a copy of which is attached as Appendix I.

The proclamation of the *Privacy Act* has required the Board to make the appropriate administrative arrangements to deal with requests received. The Board's staff are aware of the requirements of the *Privacy Act* and the procedures to follow in order to handle all requests appropriately.

NATIONAL ENERGY BOARD

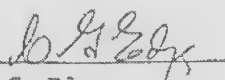


OFFICE NATIONAL DE L'ÉNERGIE

PRIVACY ACT DESIGNATION ORDER

The Chairman of the National Energy Board, pursuant to Section 73 of the Privacy Act*, hereby designates the person holding the office of Secretary of the National Energy Board to exercise the powers and perform the duties and functions of the Chairman as the head of a government institution under the Act.

Dated at Ottawa this 16 day of March, 1983.


C.G. Edge
Chairman

CAL
MT 76
- 156

National Energy
Board



Office national
de l'énergie

Annual Report Pursuant to Access to Information Act and Privacy Act

1 April 2003 - 31 March 2004

National Energy Board

Annual Report
Pursuant to the
Access to Information Act
and the Privacy Act

1 April 2003 - 31 March 2004



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Internet: <http://www.neb-òne.gc.ca>



15 June 2004

The Honourable R. John Efford, P.C., M.P.
Minister of Natural Resources
580 Booth Street
Ottawa, Ontario
K1A 0E4

Dear Minister:

In accordance with the provisions of Sections 72 of the *Access to Information Act* and the *Privacy Act*, I am pleased to submit the Annual Report of the National Energy Board on the administration of these Acts for the period 1 April 2003 to 31 March 2004.

Yours truly,

A handwritten signature in black ink, appearing to read 'K. Vollman'.

Kenneth W. Vollman
Chairman

Attachment

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I ACCESS TO INFORMATION

PART A

STATISTICAL REPORT

During the fiscal year 1 April 2003 to 31 March 2004, the National Energy Board received eleven requests for information under the *Access to Information Act*. Pertinent administrative information is provided in the Statistical Report on the next page.

Institution National Energy Board / Office national de l'énergie				Reporting period / Période visée par le rapport April / avril 2003 – March / mars 2004	
Source	Media / Médias 1	Academia / Secteur universitaire	Business / Secteur commercial 6	Organization / Organisme 2	Public 3

I Requests under the Access to Information Act /
Demandes en vertu de la Loi sur l'accès à l'information

reporting period / la période visée par le rapport	11
Outstanding from previous period / En suspens depuis la période antérieure	0
TOTAL	11
Completed during reporting period / Traitées pendant la période visées par le rapport	9
Carried forward / Reportées	2

II Disposition of requests completed /
Disposition à l'égard des demandes traitées

1. All disclosed / Communication totale	4	6. Unable to process / Traitement impossible	
2. Disclosed in part / Communication partielle	2	7. Abandoned by applicant / Abandon de la demande	
3. Nothing disclosed (excluded) / Aucune communication (exclusion)		8. Treated informally / Traitement non officiel	
4. Nothing disclosed (exempt) / Aucune communication (exemption)		TOTAL	
5. Transferred / Transmission			

II Exemptions invoked /
Exceptions invoquées

S. Art. 13(1)(a)		S. Art. 16(1)(a)		S. Art. 18(b)		S. Art. 21(1)(a)	
(b)		(b)		(c)		(b)	
(c)		(c)		(d)		(c)	
(d)		(d)		S. Art. 19(1)	2	(d)	
S. Art. 14		S. Art. 16(2)		S. Art. 20(1)(a)		S. Art. 22	
S. 15(1) International rel. / Art. Relations intern.		S. Art. 16(3)		(b)		S. Art. 23	
Defence / Défense		S. Art. 17		(c)		S. Art. 24	
Subversive activities / Activités subversives		S. Art. 18(a)		(d)		S. Art. 26	

I Exclusions cited /
Exclusions citées

S. Art. 68(a)		S. Art. 69(1)(c)	
(b)		(d)	
(c)		(e)	
S. Art. 69(1)(a)		(f)	
(b)		(g)	

V Completion time /
Délai de traitement

30 days or under / 30 jours ou moins	
31 to 60 days / De 31 à 60 jours	
61 to 120 days / De 61 à 120 jours	
121 days or over / 121 jours ou plus	

V Extensions /
Prorogations des délais

	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Searching / Recherche		
Consultation		
Third party / Tiers		
TOTAL		

VI Translations /
Traduction

Translations requested / Traductions demandées	
Translations prepared / Traductions préparées	English to French / De l'anglais au français
	French to English / Du français à l'anglais

VIII Method of access /
Méthode de consultation

Copies given / Copies de l'original	
Examination / Examen de l'original	
Copies and examination / Copies et examen	

I Fees /
Frais

Net fees collected / Frais net perçus			
Application fees / Frais de la demande	\$30.00	Preparation / Préparation	
Reproduction		Computer processing / Traitement informatique	
Searching / Recherche		TOTAL	
Fees waived / Dispense de frais		No. of times / Nombre de fois	\$
\$25.00 or under / 25 \$ ou moins		6	\$ 30.00
Over \$25.00 / De plus de 25 \$			\$

X Costs
Coûts

Financial (all reasons) / Financiers (raisons)	
Salary / Traitements	\$ 3
Administration (O and M) / Administration (fonctionnement et maintien)	\$
TOTAL	\$ 4
Person year utilization (all reasons) / Années-personnes utilisées (raison)	
Person year (decimal format) / Années-personnes (nombre décimal)	



PART B

INTERPRETATION/EXPLANATION

This Part provides a narrative explanation of some of the figures appearing on the Statistical Report (Part A). The item numbers which follow correspond to the numbers on the Statistical Report.

I Received During Reporting Period

During the reporting period, the Board received eleven requests under the *Access to Information Act* and there were no requests outstanding from the previous reporting period.

II Disposition of Requests Completed

For two of the requests completed during the reporting period, the Board disclosed only parts of the documents because the remainders were exempt under Sections 19(1) of the *Access to Information Act*. With respect to the remaining nine requests, for four requests all documents requested were disclosed, three were abandoned by applicant and two came in near year end and were carried forward to 2004/2005 fiscal year.

V Completion Time

Of the six requests completed during the reporting period, three were completed within the 30 days specified in the *Access to Information Act*, and for three requests a 30 days extension was sought.

IX Fees

A total of \$30.00 was received for the requests submitted during the reporting period.

X Costs

The costs incurred for handling the requests and administrative matters dealing with Access to Information totaled approximately \$4 100 for 150 hours.

The Board estimates that 150 hours equates to 0.10 person year.

PART C

SUPPORTING DOCUMENTATION

I General

The National Energy Board (the Board) is a regulatory tribunal and a court of record. All applications and other documents filed with the Board are public and are readily available for inspection. Since its inception, the Board has maintained its policy of providing information, a) wherever possible, b) on request, and c) promptly.

In addition to providing information on request, the Board has its own program of disseminating information on various aspects of its regulatory functions. This program includes the publication of 13 Information Bulletins to date but one is obsolete and will be replaced, 26 news releases during the reporting period, an Annual Report that covers calendar year 2003, an Internet site www.neb-one.gc.ca and the Regulatory Agenda publication on a monthly basis.

The provision of information to the public is not new to the Board, and the Board encourages the public to request information informally rather than formally under official *Access to Information Act* requests. Although the proclamation of the *Access to Information Act* has had no impact on the standards that the Board has set for itself in its public relations, we have in place measures to administer the Act. These measures are described in the following sections.

II Organization of Access to Information Activities

Activities relating to the *Access to Information Act* are the responsibility of the Secretary of the Board, who has been designated as the Coordinator. He is assisted in his work by the Regulatory Project Coordinator. In addition, Board's Legal Counsels provide advice and employees contribute with technical information as required.

III Implementation of the Access to Information Act

As previously mentioned, the proclamation of the *Access to Information Act* has had little impact on the Board's public relations program or the Board's policy on information dissemination. The only impact has been of an administrative nature: procedures are in place to deal with requests received, staff and management are aware of the requirements of the Act and of the Board's procedures, and one reading room has been designated.

IV Formal/Informal Interface

The Board receives an average of 450 requests for information each month. Approximately 25 percent of these requests are of a complex nature, requiring research and co-ordination with other business units, and the average response time is five working days.

Neither the proclamation of the *Access to Information Act* nor the requests received under the Act has affected the number of informal requests received and disposed of by the Board.

V Institutional Policies

The Board formalized its administrative procedures in the form of a manual, which was undertaken in order to ensure requests are processed in accordance with the applicable delegation documents and legislative authorities.

VI Delegation Instrument

The Secretary has been designated to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act, except for the power to refuse access to a record requested based on a discretionary exemption under the *Access to Information Act*. Where the Secretary does not intend to give access to a record requested based on a discretionary exemption under the Act, he shall refer the request to the Executive Team which Team shall have the power to grant or refuse access to the record.

A copy of the Designation Order and a Designation Replacement Order are attached as Appendix I and Appendix II, respectively.

NATIONAL ENERGY BOARD



OFFICE NATIONAL DE L'ÉNERGIE

ACCESS TO INFORMATION ACT DESIGNATION ORDER

The Chairman of the National Energy Board, pursuant to Section 73 of the Access to Information Act* hereby designates the person holding the office of Secretary of the National Energy Board to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act save and except the power to refuse access to a record requested under the Act. Where the Secretary does not intend to give access to a record requested under the Act, he shall refer the request to the Standing Committee on Regulatory Process which Committee shall have the power to grant or refuse access to the record.

Dated at Ottawa this 16 day of March, 1983.

A handwritten signature in dark ink, appearing to read "C.G. Edge".

C.G. Edge
Chairman

* S.C. 1980-81-82 c. 111

National Energy
Board



Office national
de l'énergie

ACCESS TO INFORMATION ACT DESIGNATION REPLACEMENT ORDER

The Chairman of the National Energy Board (the Board), pursuant to Section 73 of the *Access to Information Act*, (the Act) hereby replaces the *Access to Information Act Designation Order* made on the 18th day of March 1983, at the City of Ottawa in the Province of Ontario, as modified by the *Access to Information Act designation Amendment Order* made on the 27th day of May 1998, at the City of Calgary, in the Province of Alberta by the following text.

The Chairman of the Board, pursuant to Section 73 of *the Access to Information Act** hereby designates the person holding the office of Secretary of the Board to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act save and except the power to refuse access to a record requested based on a discretionary exemption under the Act. Where the Secretary does not intend to give access to a record requested based on a discretionary exemption under the Act, he shall refer the request to the Executive Team which Team shall have the power to grant or refuse access to the record.

The Discretionary exemptions are introduced in the Act by the phrase "the head of a government institution may refuse to disclose..."

Dated at the City of Calgary, in the Province of Alberta, this 15th day of October 2002.

A handwritten signature in black ink, appearing to read "K. Vollman".

Kenneth W. Vollman
Chairman

* S.C. 1980-81-82 c.111

II PRIVACY

PART A

STATISTICAL REPORT

During the fiscal year 1 April 2003 to 31 March 2004, the National Energy Board (the Board) received two requests for information under the *Privacy Act*. Pertinent administrative information is provided in the Statistical Report on the next page.

Institution National Energy Board / Office national de l'énergie	Reporting period / Période visée par le rapport 2003/04
---	--

I Requests under the Privacy Act / Demandes en vertu de la Loi sur la protection des renseignements personnels		
Received during reporting period / Reçues pendant la période visée par le rapport		2
Outstanding from previous period / En suspens depuis la période antérieure		
TOTAL		2
Completed during reporting period / Traitées pendant la période visée par le rapport		2
Carried forward / Reportées		0

II Disposition of request completed / Disposition à l'égard des demandes traitées		
1. All disclosed / Communication totale		1
2. Disclosed in part / Communication partielle		
3. Nothing disclosed (excluded) / Aucune communication (exclusion)		
4. Nothing disclosed (exempt) / Aucune communication (exemption)		
5. Unable to process / Traitement impossible		
6. Abandoned by applicant / Abandon de la demande		
7. Transferred / Transmission		1
TOTAL		2

III Exemptions invoked / Exceptions invoquées		
S. Art. 18(2)		
S. Art. 19(1)(a)		
(b)		
(c)		
(d)		
S. Art. 20		
S. Art. 21		
S. Art. 22(1)(a)		
(b)		
(c)		
S. Art. 22(2)		
S. Art. 23 (a)		
(b)		
S. Art. 24		
S. Art. 25		
S. Art. 26		
S. Art. 27		
S. Art. 28		

IV Exclusions cited / Exclusions citées		
S. Art. 69(1)(a)		
(b)		
S. Art. 70(1)(a)		
(b)		
(c)		
(d)		
(e)		
(f)		

V Completion time / Délai de traitement		
30 days or under / 30 jours ou moins		1
31 to 60 days / De 31 à 60 jours		
61 to 120 days / De 61 à 120 jours		
121 days or over / 121 jours ou plus		

VI Extensions / Prorogations des délais		
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Interference with operations / Interruption des opérations		
Consultation		
Translation / Traduction		
TOTAL		

VI Translations / Traductions		
Translations requested / Traductions demandées		
Translations prepared / Traductions préparées	English to French / De l'anglais au français	
	French to English / Du français à l'anglais	

VIII Method of access / Méthode de consultation		
Copies given / Copies de l'original		
Examination / Examen de l'original		
Copies and examination / Copies et examen		

IX Corrections and notation / Corrections et mention		
Corrections requested / Corrections demandées		
Corrections made / Corrections effectuées		
Notation attached / Mention annexée		

X Costs / Coûts		
Financial (all reasons) / Financiers (raisons)		
Salary / Traitement		\$
Administration (O and M) / Administration (fonctionnement et maintien)		\$
TOTAL		\$
Person year utilization (all reasons) / Années-personnes utilisées (raisons)		
Person year (decimal format) / Années-personnes (nombre décimal)		0



PART B

INTERPRETATION/EXPLANATION

This Part provides a narrative explanation of some of the figures appearing on the Statistical Report (Part A). The item numbers which follow correspond to the numbers on the Statistical Report.

I Received During Reporting Period

During the reporting period, the Board received two requests under the *Privacy Act* and there were no requests outstanding from the previous reporting period.

II Disposition of Request Completed

For one request the Board disclosed all documents requested. With respect to the remaining request, it was transferred to the department that had the documents requested.

V Completion Time

The request completed during the reporting period, was completed within the 30 days specified in the *Privacy Act*.

X Costs

The costs incurred for handling the requests and administrative matters dealing with Privacy totaled approximately \$685 for 24 hours.

The Board estimates that 24 hours equates to 0.02 person year.

PART C

SUPPORTING DOCUMENTATION

Activities relating to the *Privacy Act* are the responsibility of the Secretary of the Board, who has been designated as the Coordinator. He is assisted in his work by the Regulatory Project Coordinator. In addition, the Board's Legal Counsels and staff members of Personnel are available to provide advice, as required. All the individuals have other responsibilities in addition to those described above.

The Chairman of the Board also delegated to the Secretary the authority to exercise his powers and perform his duties and functions in relation to the *Privacy Act*. This procedure is cited in the Designation Order, a copy of which is attached as Appendix I.

The proclamation of the *Privacy Act* has required the Board to make the appropriate administrative arrangements to deal with requests received. The Board's staff is aware of the requirements of the *Privacy Act* and the procedures to follow in order to handle all requests appropriately.

NATIONAL ENERGY BOARD

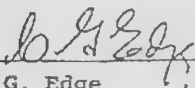


OFFICE NATIONAL DE L'ÉNERGIE

PRIVACY ACT DESIGNATION ORDER

The Chairman of the National Energy Board, pursuant to Section 73 of the Privacy Act*, hereby designates the person holding the office of Secretary of the National Energy Board to exercise the powers and perform the duties and functions of the Chairman as the head of a government institution under the Act.

Dated at Ottawa this 16 day of March, 1983.


C.G. Edge
Chairman

CA1
MT76
138

National Energy
Board



Office national
de l'énergie

Annual Report Pursuant to Access to Information Act and Privacy Act

1 April 2004 - 31 March 2005

National Energy Board

Annual Report
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1 April 2004 - 31 March 2005



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National Energy
Board



Office national
de l'énergie

Office of the Chairman

Bureau du Président

17 June 2005

The Honourable R. John Efford, P.C., M.P.
Minister of Natural Resources
580 Booth Street
Ottawa, Ontario
K1A 0E4

Dear Minister:

In accordance with the provisions of Sections 72 of the *Access to Information Act* and the *Privacy Act*, I am pleased to submit the Annual Report of the National Energy Board on the administration of these Acts for the period 1 April 2004 to 31 March 2005.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ken Vollman'.

Kenneth W. Vollman
Chairman

Attachment

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I ACCESS TO INFORMATION

PART A

STATISTICAL REPORT

During the fiscal year 1 April 2004 to 31 March 2005, the National Energy Board received ten requests for information under the *Access to Information Act*. Pertinent administrative information is provided in the Statistical Report on the next page.

Institution National Energy Board / Office national de l'énergie				Reporting period / Période visée par le rapport April / avril 2004 – March / mars 2005	
Source	Media / Médias 0	Academia / Secteur universitaire 0	Business / Secteur commercial 5	Organization / Organisme 1	Public 4

I Requests under the Access to Information Act / Demandes en vertu de la Loi sur l'accès à l'information	
Received during reporting period / Reçu pendant la période visée par le rapport	10
Outstanding from previous period / En suspens depuis la période antérieure	2
TOTAL	12
Completed during reporting period / Traitées pendant la période visées par le rapport	11
Carried forward / Reportées	1

II	Disposition of requests completed / Disposition à l'égard des demandes traitées				
1.	All disclosed / Communication totale	6	6.	Unable to process / Traitement impossible	
2.	Disclosed in part / Communication partielle	5	7.	Abandoned by applicant / Abandon de la demande	
3.	Nothing disclosed (excluded) / Aucune communication (exclusion)		8.	Treated informally / Traitement non officiel	
4.	Nothing disclosed (exempt) / Aucune communication (exemption)		TOTAL		11
5.	Transferred / Transmission				

II I		Exemptions invoked / Exceptions invoquées					
S. Art. 13(1)(a)		S. Art. 16(1)(a)		S. Art. 18(b)		S. Art. 21(1)(a)	
(b)		(b)		(c)		(b)	
(c)		(c)		(d)		(c)	
(d)		(d)		S. Art. 19(1)	2	(d)	
S. Art. 14		S. Art. 16(2)	1	S. Art. 20(1)(a)		S. Art. 22	
S. 15(1) International rel. / Art. Relations intern.		S. Art. 16(3)		(b)	2	S. Art. 23	
Defence / Défense		S. Art. 17		(c)	2	S. Art. 24	
Subversive activities / Activités subversives		S. Art. 18(a)		(d)	2	S. Art. 26	

I V Exclusions cited / Exclusions citées	
S. Art. 68(a)	S. Art. 69(1)(c)
(b)	(d)
(c)	(e)
S. Art. 69(1)(a)	(f)
(b)	(g)

V Completion time / Délai de traitement	
30 days or under / 30 jours ou moins	5
31 to 60 days / De 31 à 60 jours	3
61 to 120 days / De 61 à 120 jours	2
121 days or over / 121 jours ou plus	1

V I Extensions / Prorogations des délais		
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Searching / Recherche	3	4
Consultation		
Third party / Tiers		
TOTAL	3	4

VI I Translations / Traduction		
Translations requested / Traductions demandées		0
Translations prepared / Traductions préparées	English to French / De l'anglais au français	NA
	French to English / Du français à l'anglais	NA

VIII Method of access / Méthode de consultation	
Copies given / Copies de l'original	10
Examination / Examen de l'original	
Copies and examination / Copies et examen	

I X Fees / Frais			
Net fees collected / Frais net perçus			
Application fees / Frais de la demande	\$50.00	Preparation / Préparation	NA
Reproduction		Computer processing / Traitement informatique	NA
Searching / Recherche		TOTAL	NA
Fees waived / Dispense de frais		No. of times / Nombre de fois	\$
\$25.00 or under / 25 \$ ou moins			\$
Over \$25.00 / De plus de 25 \$			\$

X Costs Coûts	
Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 4299.75
Administration (O and M) / Administration (fonctionnement et maintien)	\$ 2315.25
TOTAL	\$ 6615.00
Person year utilization (all reasons) / Années-personnes utilisées (raison)	
Person year (decimal format) / Années-personnes (nombre décimal)	.16



PART B

INTERPRETATION/EXPLANATION

This Part provides a narrative explanation of some of the figures appearing on the Statistical Report (Part A). The item numbers which follow correspond to the numbers on the Statistical Report.

I Received During Reporting Period

During the reporting period, the Board received ten requests under the *Access to Information Act* and there were two requests outstanding from the previous reporting period.

II Disposition of Requests Completed

For five of the requests completed during the reporting period, the Board disclosed only parts of the documents because the remainders were exempt, one under Section 16(2), two under Section 19(1) and two under Section 20(1) (b)(c)(d) of the *Access to Information Act*. With respect to the remaining six requests, all documents requested were disclosed; one came in near year end and was carried forward to 2005-2006 fiscal year.

V Completion Time

Of the eleven requests completed during the reporting period, five were completed within the 30 days specified in the *Access to Information Act*, and for six requests a 30 day extension was sought.

IX Fees

For this reporting period \$50.00 in fees were collected.

X Costs

The costs incurred for handling the requests and administrative matters dealing with Access to Information totaled approximately \$6615.00 for 150 hours.

The Board estimates that 150 hours equates to 0.16 person year.

PART C

SUPPORTING DOCUMENTATION

I General

The National Energy Board (the Board) is a regulatory tribunal and a court of record. All applications and other documents filed with the Board are public and are readily available for inspection. Since its inception, the Board has maintained its policy of providing information, a) wherever possible, b) on request, and c) promptly.

In addition to providing information on request, the Board has its own program of disseminating information on various aspects of its regulatory functions. This program includes the publication of 12 Information Bulletins to date, 21 news releases during the reporting period, an Annual Report that covers calendar year 2004, an Internet site www.neb-one.gc.ca, the Regulatory Agenda publication on a monthly basis and two videos, one describing the role of the NEB, and one describing the Board's public hearing process.

The provision of information to the public is not new to the Board, and the Board encourages the public to request information informally rather than formally under official *Access to Information Act* requests. Although the proclamation of the *Access to Information Act* has had no impact on the standards that the Board has set for itself in its public relations, we have in place measures to administer the Act. These measures are described in the following sections.

II Organization of Access to Information Activities

Activities relating to the *Access to Information Act* are the responsibility of the Secretary of the Board, who has been designated as the Coordinator. He is assisted in his work by the Regulatory Administrator. In addition, Board's Legal Counsels provide advice and employees contribute with technical information as required.

III Implementation of the Access to Information Act

As previously mentioned, the proclamation of the *Access to Information Act* has had little impact on the Board's public relations program or the Board's policy on information dissemination. The only impact has been of an administrative nature: procedures are in place to deal with requests received, staff and management are aware of the requirements of the Act and of the Board's procedures, and one reading room has been designated.

IV Formal/Informal Interface

The Board receives an average of 116 requests for information each month. Approximately 20 percent of these requests are of a complex nature, requiring research and co-ordination with other business units, and the average response time is five working days.

Neither the proclamation of the *Access to Information Act* nor the requests received under the Act has affected the number of informal requests received and disposed of by the Board.

V Institutional Policies

The Board formalized its administrative procedures in the form of a manual, which was undertaken in order to ensure requests are processed in accordance with the applicable delegation documents and legislative authorities.

VI Delegation Instrument

The Secretary has been designated to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act, except for the power to refuse access to a record requested based on a discretionary exemption under the *Access to Information Act*. Where the Secretary does not intend to give access to a record requested based on a discretionary exemption under the Act, he shall refer the request to the Executive Team, which Team shall have the power to grant or refuse access to the record.

A copy of the Designation Order and a Designation Replacement Order are attached as Appendix I and Appendix II, respectively.

APPENDIX I

NATIONAL ENERGY BOARD




OFFICE NATIONAL DE L'ÉNERGIE

ACCESS TO INFORMATION ACT DESIGNATION ORDER

The Chairman of the National Energy Board, pursuant to Section 73 of the Access to Information Act* hereby designates the person holding the office of Secretary of the National Energy Board to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act save and except the power to refuse access to a record requested under the Act. Where the Secretary does not intend to give access to a record requested under the Act, he shall refer the request to the Standing Committee on Regulatory Process which Committee shall have the power to grant or refuse access to the record.

Dated at Ottawa this 16 day of March, 1983.


C.G. Edge
Chairman

* S.C. 1980-81-82 c. 111

National Energy
Board



Office national
de l'énergie

ACCESS TO INFORMATION ACT DESIGNATION REPLACEMENT ORDER

The Chairman of the National Energy Board (the Board), pursuant to Section 73 of the *Access to Information Act*, (the Act) hereby replaces the *Access to Information Act Designation Order* made on the 18th day of March 1983, at the City of Ottawa in the Province of Ontario, as modified by the *Access to Information Act designation Amendment Order* made on the 27th day of May 1998, at the City of Calgary, in the Province of Alberta by the following text.

The Chairman of the Board, pursuant to Section 73 of the Access to Information Act* hereby designates the person holding the office of Secretary of the Board to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act save and except the power to refuse access to a record requested based on a discretionary exemption under the Act. Where the Secretary does not intend to give access to a record requested based on a discretionary exemption under the Act, he shall refer the request to the Executive Team which Team shall have the power to grant or refuse access to the record.

The Discretionary exemptions are introduced in the Act by the phrase "the head of a government institution may refuse to disclose..."

Dated at the City of Calgary, in the Province of Alberta, this 15th day of October 2002.

A handwritten signature in dark ink, appearing to read "Ken Vollman".

Kenneth W. Vollman
Chairman

* S.C. 1980-81-82 c.111

II PRIVACY

PART A

STATISTICAL REPORT

During the fiscal year 1 April 2004 to 31 March 2005, the National Energy Board (the Board) received two requests for information under the *Privacy Act*. Pertinent administrative information is provided in the Statistical Report on the next page.

Institution National Energy Board/Office national de l'énergie	Reporting period / Période visée par le rapport April/avril 04 - March/mars
---	--

I	2
Received during reporting period / Reçues pendant la période visée par le rapport	2
Outstanding from previous period / En suspens depuis la période antérieure	0
TOTAL	2
Completed during reporting period / Traitées pendant la période visée par le rapport	2
Carried forward / Reportées	0

II	Disposition of request completed / Disposition à l'égard des demandes traitées	
1.	All disclosed / Communication totale	2
2.	Disclosed in part / Communication partielle	
3.	Nothing disclosed (excluded) / Aucune communication (exclusion)	
4.	Nothing disclosed (exempt) / Aucune communication (exemption)	
5.	Unable to process / Traitement impossible	
6.	Abandoned by applicant / Abandon de la demande	
7.	Transferred / Transmission	
TOTAL		2

II	Exemptions invoked / Exceptions invoquées
S. Art. 18(2)	
S. Art. 19(1)(a)	
(b)	
(c)	
(d)	
S. Art. 20	
S. Art. 21	
S. Art. 22(1)(a)	
(b)	
(c)	
S. Art. 22(2)	
S. Art. 23 (a)	
(b)	
S. Art. 24	
S. Art. 25	
S. Art. 26	
S. Art. 27	
S. Art. 28	

IV	Exclusions cited / Exclusions citées
S. Art. 69(1)(a)	
(b)	
S. Art. 70(1)(a)	
(b)	
(c)	
(d)	
(e)	
(f)	

V	Completion time / Délai de traitement
30 days or under / 30 jours ou moins	2
31 to 60 days / De 31 à 60 jours	
61 to 120 days / De 61 à 120 jours	
121 days or over / 121 jours ou plus	

VI	Extensions / Prorogations des délais	
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Interference with operations / Interruption des opérations		
Consultation		
Translation / Traduction		
TOTAL	0	0

VI	Translations /	
I	Traductions	
Translations requested / Traductions demandées		0
Translations prepared /	English to French / De l'anglais au français	0
Traductions préparées	French to English / Du français à l'anglais	0

VIII	Method of access / Méthode de consultation
Copies given / Copies de l'original	0
Examination / Examen de l'original	0
Copies and examination / Copies et examen	0

IX	Corrections and notation / Corrections et mention
Corrections requested / Corrections demandées	
Corrections made / Corrections effectuées	
Notation attached / Mention annexée	

X	Costs / Coûts
Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$ 220.50
Administration (O and M) / Administration (fonctionnement et maintien)	\$
TOTAL	\$ 220.50
Person year utilization (all reasons) / Années-personnes utilisées (raisons)	
Person year (decimal format) / Années-personnes (nombre décimal)	.01



PART B

INTERPRETATION/EXPLANATION

This Part provides a narrative explanation of some of the figures appearing on the Statistical Report (Part A). The item numbers which follow correspond to the numbers on the Statistical Report.

I Received During Reporting Period

During the reporting period, the Board received two requests under the *Privacy Act* and there were no requests outstanding from the previous reporting period.

II Disposition of Request Completed

Of the two requests, no records existed.

V Completion Time

The requests completed during the reporting period, were completed within the 30 days specified in the *Privacy Act*.

X Costs

The costs incurred for handling the requests and administrative matters dealing with Privacy totaled approximately \$220.50 for 9 hours.

The Board estimates that 9 hours equates to .01 person year.

PART C

SUPPORTING DOCUMENTATION

Activities relating to the *Privacy Act* are the responsibility of the Secretary of the Board, who has been designated as the Coordinator. He is assisted in his work by the Regulatory Administrator. In addition, the Board's Legal Counsels and staff members of Personnel are available to provide advice, as required. All the individuals have other responsibilities in addition to those described above.

The Chairman of the Board also delegated to the Secretary the authority to exercise his powers and perform his duties and functions in relation to the *Privacy Act*. This procedure is cited in the Designation Order, a copy of which is attached as Appendix I.

The proclamation of the *Privacy Act* has required the Board to make the appropriate administrative arrangements to deal with requests received. The Board's staff is aware of the requirements of the *Privacy Act* and the procedures to follow in order to handle all requests appropriately.

APPENDIX I

NATIONAL ENERGY BOARD

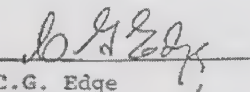


OFFICE NATIONAL DE L'ÉNERGIE

PRIVACY ACT DESIGNATION ORDER

The Chairman of the National Energy Board, pursuant to Section 73 of the Privacy Act*, hereby designates the person holding the office of Secretary of the National Energy Board to exercise the powers and perform the duties and functions of the Chairman as the head of a government institution under the Act.

Dated at Ottawa this 16 day of March, 1983.


C.G. Edge
Chairman

AL
NT76
A56

National Energy
Board



Office national
de l'énergie



Annual Report Pursuant to Access to Information Act and Privacy Act

1 April 2006 - 31 March 2007

National Energy Board

Annual Report
Pursuant to the
Access to Information Act
and the *Privacy Act*

1 April 2006 - 31 March 2007

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Internet: <http://www.neb-one.gc.ca>

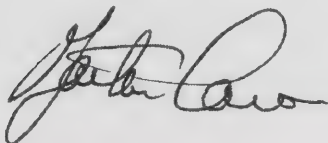
15 August 2007

The Honourable Gary Lunn, P.C., M.P.
Minister of Natural Resources Canada
580 Booth Street
Ottawa, Ontario
K1A 0E4

Dear Minister:

In accordance with the provisions of Sections 72 of the *Access to Information Act* and the *Privacy Act*, I am pleased to submit the Annual Report of the National Energy Board on the administration of these Acts for the period 1 April 2006 to 31 March 2007.

Yours truly,

A handwritten signature in black ink, appearing to read 'Gaétan Caron', with a stylized, cursive script.

Gaétan Caron
Acting Chairman

Attachment

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I ACCESS TO INFORMATION

PART A INTRODUCTION

The National Energy Board (the NEB or the Board) is an independent federal regulatory agency that was established in 1959. The Board regulates the following specific aspects of the energy industry:

- the construction and operation of interprovincial and international pipelines;
- pipeline traffic, tolls and tariffs;
- the construction and operation of international and designated interprovincial power lines;
- the export and import of natural gas;
- the export of oil and electricity; and
- Frontier oil and gas activities.

Other responsibilities include:

- providing energy advice to the Minister of Natural Resources in areas where the Board has expertise derived from its regulatory functions;
- carrying out studies and preparing reports when requested by the Minister;
- conducting studies into specific energy matters;
- holding public inquiries when appropriate; and
- monitoring current and future supplies of Canada's major energy commodities.

In addition to its responsibilities under the *National Energy Board Act* (NEB Act), the Board also has responsibilities under the *Canada Oil and Gas Operations Act*, the *Canadian Environmental Assessment Act*, the *Northern Pipeline Act*, and certain Provisions of the *Canada Petroleum Resources Act*. As a result of the *Canada Transportation Act*, which came into effect on 1 July 1996, the Board's jurisdiction has been broadened to also include pipelines that transport commodities other than oil or natural gas.

During the fiscal year 1 April 2006 to 31 March 2007, the National Energy Board received two requests for information under the *Access to Information Act*, and 24 third party requests. The third party requests required significant resources to process and accounts for the vast majority of the Board's costs of administering the *Access to Information Act*. Costs, including the third party requests, and pertinent administrative information are provided in the Statistical Report on the next page. The Board did not receive any requests under the *Privacy Act*.

Institution National Energy Board / Office national de l'énergie				Reporting period / Période visée par le rapport April / avril 2006 – March / mars 2007	
Source	Media / Médias 0	Academia / Secteur universitaire 0	Business / Secteur commercial 1	Organization / Organisme 0	Public 1

I Requests under the Access to Information Act / Demandes en vertu de la Loi sur l'accès à l'information		
Received during reporting period / Reçu pendant la période visée par le rapport		2
Outstanding from previous period / En suspens depuis la période antérieure		1
TOTAL		3
Completed during reporting period / Traitées pendant la période visées par le rapport		3
Carned forward / Reportées		

II Disposition of requests completed / Disposition à l'égard des demandes traitées					
1.	All disclosed / Communication totale	2	6.	Unable to process / Traitement impossible	
2.	Disclosed in part / Communication partielle		7.	Abandoned by applicant / Abandon de la demande	1
3.	Nothing disclosed (excluded) / Aucune communication (exclusion)		8.	Treated informally / Traitement non officiel	
4.	Nothing disclosed (exempt) / Aucune communication (exemption)		TOTAL		3
5.	Transferred / Transmission				

II Exemptions invoked / Exceptions invoquées							
S. Art. 13(1)(a)		S. Art. 16(1)(a)		S. Art. 18(b)		S. Art. 21(1)(a)	
(b)		(b)		(c)		(b)	
(c)		(c)		(d)		(c)	
(d)		(d)		S. Art. 19(1)	1	(d)	
S. Art. 14		S. Art. 16(2)	1	S. Art. 20(1)(a)		S. Art. 22	
S. 15(1) International rel. / Art. Relations intern.		S. Art. 16(3)		(b)	3	S. Art. 23	
Defence / Défense		S. Art. 17		(c)	4	S. Art. 24	
Subversive activities / Activités subversives		S. Art. 18(a)		(d)	2	S. Art. 26	

I Exclusions cited / Exclusions citées		
S. Art. 68(a)		S. Art. 69(1)(c)
(b)		(d)
(c)		(e)
S. Art. 69(1)(a)		(f)
(b)		(g)

V Completion time / Délai de traitement		
30 days or under / 30 jours ou moins		3
31 to 60 days / De 31 à 60 jours		
61 to 120 days / De 61 à 120 jours		
121 days or over / 121 jours ou plus		

V Extensions / Prorogations des délais		
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Searching / Recherche	2	1
Consultation		
Third party / Tiers	1	
TOTAL	3	1

VI Translations / Traduction		
Translations requested / Traductions demandées		0
Translations prepared / Traductions préparées	English to French / De l'anglais au français	
	French to English / Du français à l'anglais	

VIII Method of access / Méthode de consultation		
Copies given / Copies de l'original		2
Examination / Examen de l'original		
Copies and examination / Copies et examen		

I Fees / Frais				X Costs Coûts		
Net fees collected / Frais net perçus				Financial (all reasons) / Financiers (raisons)		
Application fees / Frais de la demande	\$ 10.00	Preparation / Préparation		Salary / Traitement	\$	21194.46
Reproduction		Computer processing / Traitement informatique		Administration (O and M) / Administration (fonctionnement et maintien)	\$	11610.56
Searching / Recherche		TOTAL	\$ 10.00	TOTAL	\$	32805.02
Fees waived / Dispense de frais		No. of times / Nombre de fois	\$	Person year utilization (all reasons) / Années-personnes utilisées (raison)		
\$25.00 or under / 25 \$ ou moins			\$	Person year (decimal format) / Années-personnes (nombre décimal)		0.19
Over \$25.00 / De plus de 25 \$			\$			

PART B

INTERPRETATION/EXPLANATION

This Part provides a narrative explanation of some of the figures appearing on the Statistical Report (Part A). The item numbers which follow correspond to the numbers on the Statistical Report.

I Received During Reporting Period

During the reporting period, the Board received two requests under the *Access to Information Act* and there was one request outstanding from the previous reporting period. The Board also received 24 third party requests, which required significant resources to process.

II Disposition of Requests Completed

The Board disclosed all documents requested.

V Completion Time

All requests were completed within the 30 days specified in the *Access to Information Act*.

IX Fees

For this reporting period \$10.00 in fees were collected.

X Costs

The costs incurred for handling the requests and administrative matters dealing with Access to Information totaled \$32805.02 for 370 hours. These costs also include the resources required to process 24 third party requests.

The Board estimates that 370 hours equates to 0.19 person year.

PART C

SUPPORTING DOCUMENTATION

I General

The National Energy Board (the Board) is a regulatory tribunal and a court of record. All applications and other documents filed with the Board are public and are readily available for inspection. Since its inception, the Board has maintained its policy of providing information, a) wherever possible, b) on request, and c) promptly.

In addition to providing information on request, the Board has its own program of disseminating information on various aspects of its regulatory functions. This program includes the publication of 52 news releases during the reporting period, an Annual Report that covers calendar year 2006, an Internet site www.neb-one.gc.ca , and the Regulatory Agenda publication on a quarterly basis.

The Board encourages the public to request information informally rather than formally under official *Access to Information Act* requests. Although the proclamation of the *Access to Information Act* has had no impact on the standards that the Board has set for itself in its public relations, there are measures in place to administer the Act. These measures are described in the following sections.

II Organization of Access to Information Activities

Activities relating to the *Access to Information Act* are the responsibility of the Secretary of the Board, who has been designated as the Coordinator. He is assisted in his work by the Regulatory Administrator. In addition, Board's Legal Counsels provide advice and employees contribute with technical information as required.

III Implementation of the Access to Information Act

The proclamation of the *Access to Information Act* has had little impact on the Board's public relations program or the Board's policy on information dissemination. The only impact has been of an administrative nature: procedures are in place to deal with requests received, staff and management are aware of the requirements of the Act and of the Board's procedures, and one reading room is designated.

IV Formal/Informal Interface

The Board receives numerous requests for information each month. Some are of a complex nature, requiring research and co-ordination with other business units, and the average response time is five working days.

V Institutional Policies

The Board has formalized its administrative procedures in the form of a manual, which was undertaken in order to ensure requests are processed in accordance with the applicable delegation documents and legislative authorities.

VI Delegation Instrument

The Secretary has been designated to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act, except for the power to refuse access to a record requested based on a discretionary exemption under the *Access to Information Act*. Where the Secretary does not intend to give access to a record requested based on a discretionary exemption under the Act, he shall refer the request to the Executive Team, which Team shall have the power to grant or refuse access to the record.

A copy of the Designation Order and a Designation Replacement Order are attached as Appendix I and Appendix II, respectively.

NATIONAL ENERGY BOARD

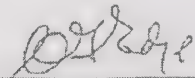


OFFICE NATIONAL DE L'ÉNERGIE

ACCESS TO INFORMATION ACT DESIGNATION ORDER

The Chairman of the National Energy Board, pursuant to Section 73 of the Access to Information Act* hereby designates the person holding the office of Secretary of the National Energy Board to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act save and except the power to refuse access to a record requested under the Act. Where the Secretary does not intend to give access to a record requested under the Act, he shall refer the request to the Standing Committee on Regulatory Process which Committee shall have the power to grant or refuse access to the record.

Dated at Ottawa this 16 day of March, 1983.



C.G. Edge
Chairman

* S.C. 1980-81-82 c. 111

National Energy
Board



Office national
de l'énergie

ACCESS TO INFORMATION ACT DESIGNATION REPLACEMENT ORDER

The Chairman of the National Energy Board (the Board), pursuant to Section 73 of the *Access to Information Act*, (the Act) hereby replaces the *Access to Information Act Designation Order* made on the 18th day of March 1983, at the City of Ottawa in the Province of Ontario, as modified by the *Access to Information Act designation Amendment Order* made on the 27th day of May 1998, at the City of Calgary, in the Province of Alberta by the following text.

The Chairman of the Board, pursuant to Section 73 of the Access to Information Act^{*} hereby designates the person holding the office of Secretary of the Board to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act save and except the power to refuse access to a record requested based on a discretionary exemption under the Act. Where the Secretary does not intend to give access to a record requested based on a discretionary exemption under the Act, he shall refer the request to the Executive Team which Team shall have the power to grant or refuse access to the record.

The Discretionary exemptions are introduced in the Act by the phrase "the head of a government institution may refuse to disclose..."

Dated at the City of Calgary, in the Province of Alberta, this 15th day of October 2002.

A handwritten signature in dark ink, appearing to read "Ken Vollman".

Kenneth W. Vollman
Chairman

^{*} S.C. 1980-81-82 c.111

II PRIVACY

PART A

STATISTICAL REPORT

During the fiscal year 1 April 2006 to 31 March 2007, the National Energy Board (the Board) received no requests for information under the *Privacy Act*. Pertinent administrative information is provided in the Statistical Report on the next page.

Institution
National Energy Board/Office national de l'énergie

Reporting period / Période visée par le rapport
April/avril 06 - March/mars 07

Received during reporting period / Reçues pendant la période visée par le rapport	0
Outstanding from previous period / En suspens depuis la période antérieure	0
TOTAL	
Completed during reporting period / Traitées pendant la période visée par le rapport	0
Carried forward / Reportées	0

I Disposition of request completed / Disposition à l'égard des demandes traitées	
1. All disclosed / Communication totale	
2. Disclosed in part / Communication partielle	
3. Nothing disclosed (excluded) / Aucune communication (exclusion)	
4. Nothing disclosed (exempt) / Aucune communication (exemption)	
5. Unable to process / Traitement impossible	
6. Abandoned by applicant / Abandon de la demande	
7. Transferred / Transmission	
TOTAL	

II Exemptions invoked / Exceptions invoquées	
S. Art. 18(2)	
S. Art. 19(1)(a)	
(b)	
(c)	
(d)	
S. Art. 20	
S. Art. 21	
S. Art. 22(1)(a)	
(b)	
(c)	
S. Art. 22(2)	
S. Art. 23(a)	
(b)	
S. Art. 24	
S. Art. 25	
S. Art. 26	
S. Art. 27	
S. Art. 28	

IV Exclusions cited / Exclusions citées	
S. Art. 69(1)(a)	
(b)	
S. Art. 70(1)(a)	
(b)	
(c)	
(d)	
(e)	
(f)	

V Completion time / Délai de traitement	
30 days or under / 30 jours ou moins	
31 to 60 days / De 31 à 60 jours	0
61 to 120 days / De 61 à 120 jours	
121 days or over / 121 jours ou plus	

VI Extensions / Prorogations des délais		
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Interference with operations / Interruption des opérations		
Consultation		
Translation / Traduction		
TOTAL		

VI I Translations / Traductions		
Translations requested / Traductions demandées		
Translations prepared /	English to French / De l'anglais au français	
Traductions préparées	French to English / Du français à l'anglais	

VIII Method of access / Méthode de consultation	
Copies given / Copies de l'original	0
Examination / Examen de l'original	0
Copies and examination / Copies et examen	0

IX Corrections and notation / Corrections et mention	
Corrections requested / Corrections demandées	
Corrections made / Corrections effectuées	
Notation attached / Mention annexée	

X Costs / Coûts	
Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$
Administration (O and M) / Administration (fonctionnement et maintien)	\$
TOTAL	\$ 0.00
Person year utilization (all reasons) / Années-personnes utilisées (raisons)	
Person year (decimal format) / Années-personnes (nombre décimal)	

PART B

INTERPRETATION/EXPLANATION

This Part provides a narrative explanation of some of the figures appearing on the Statistical Report (Part A). The item numbers which follow correspond to the numbers on the Statistical Report.

I Received During Reporting Period

Not applicable.

II Disposition of Request Completed

Not applicable.

V Completion Time

Not applicable.

X Costs

Not applicable.

PART C

PRIVACY IMPACTS ASSESSMENTS AND PRELIMINARY PRIVACY IMPACT ASSESSMENTS

The Board has not initiated or completed any Privacy Impacts Assessments or Preliminary Privacy Impact Assessments. Consequently, no Privacy Impacts Assessments were forwarded to the Office of the Privacy Commissioner.

PART D

DATA MATCHING AND SHARING ACTIVITIES

The Board has not undertaken any new data matching and sharing activities.

PART C

SUPPORTING DOCUMENTATION

Activities relating to the *Privacy Act* are the responsibility of the Secretary of the Board, who has been designated as the Coordinator. He is assisted in his work by the Regulatory Administrator. In addition, the Board's Legal Counsels and staff members of Personnel are available to provide advice, as required. All the individuals have other responsibilities in addition to those described above.

The Chairman of the Board also delegated to the Secretary the authority to exercise his powers and perform his duties and functions in relation to the *Privacy Act*. This procedure is cited in the Designation Order, a copy of which is attached as Appendix I.

The proclamation of the *Privacy Act* has required the Board to make the appropriate administrative arrangements to deal with requests received. The Board's staff is aware of the requirements of the *Privacy Act* and the procedures to follow in order to handle all requests appropriately.

APPENDIX I

NATIONAL ENERGY BOARD

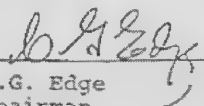


OFFICE NATIONAL DE L'ÉNERGIE

PRIVACY ACT DESIGNATION ORDER

The Chairman of the National Energy Board, pursuant to Section 73 of the Privacy Act*, hereby designates the person holding the office of Secretary of the National Energy Board to exercise the powers and perform the duties and functions of the Chairman as the head of a government institution under the Act.

Dated at Ottawa this 16 day of March, 1983.


C.G. Edge
Chairman

A2
176
A56
National Energy
Board



Office national
de l'énergie

Annual Report Pursuant to Access to Information Act and Privacy Act

1 April 2007 - 31 March 2008

National Energy Board

Annual Report
Pursuant to the
Access to Information Act
and the *Privacy Act*



1 April 2007 - 31 March 2008

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as represented by the National Energy Board

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languages.

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National Energy
Board



Office national
de l'énergie

Office of the Chair and CEO

Bureau du président et premier dirigeant

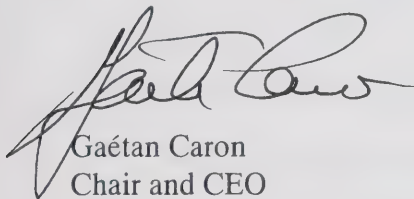
16 June 2008

The Honourable Gary Lunn, P.C., M.P.
Minister of Natural Resources Canada
580 Booth Street
Ottawa, Ontario
K1A 0E4

Dear Minister:

In accordance with the provisions of Sections 72 of the *Access to Information Act* and the *Privacy Act*, I am pleased to submit the Annual Report of the National Energy Board on the administration of these Acts for the period 1 April 2007 to 31 March 2008.

Yours sincerely,



Gaétan Caron
Chair and CEO

Attachment

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I ACCESS TO INFORMATION

PART A INTRODUCTION

The National Energy Board (the NEB or the Board) is an independent federal regulatory agency that was established in 1959. The Board regulates the following specific aspects of the energy industry:

- the construction and operation of interprovincial and international pipelines;
- pipeline traffic, tolls and tariffs;
- the construction and operation of international and designated interprovincial power lines;
- the export and import of natural gas;
- the export of oil and electricity; and
- Frontier oil and gas activities.

Other responsibilities include:

- providing energy advice to the Minister of Natural Resources in areas where the Board has expertise derived from its regulatory functions;
- carrying out studies and preparing reports when requested by the Minister;
- conducting studies into specific energy matters;
- holding public inquiries when appropriate; and
- monitoring current and future supplies of Canada's major energy commodities.

In addition to its responsibilities under the *National Energy Board Act* (NEB Act), the Board also has responsibilities under the *Canada Oil and Gas Operations Act*, the *Canadian Environmental Assessment Act*, the *Northern Pipeline Act*, and certain Provisions of the *Canada Petroleum Resources Act*. As a result of the *Canada Transportation Act*, which came into effect on 1 July 1996, the Board's jurisdiction has been broadened to also include pipelines that transport commodities other than oil or natural gas.

During the fiscal year 1 April 2007 to 31 March 2008, the National Energy Board received eight requests for information under the *Access to Information Act*, and 17 third party requests. The third party requests required significant resources to process and accounts for the vast majority of the Board's costs of administering the *Access to Information Act*. Costs, including the third party requests, and pertinent administrative information are provided in the Statistical Report on the next page. The Board did not receive any requests under the *Privacy Act*.

Institution National Energy Board/Office national de l'énergie				Reporting period / Période visée par le rapport April/avril 2007 to March/mars 2008	
Source	Media / Médias 1	Academia / Secteur universitaire	Business / Secteur commercial 3	Organization / Organisme	Public 4

I Requests under the Access to Information Act / Demandes en vertu de la Loi sur l'accès à l'information		
Received during reporting period / Reçues pendant la période visée par le rapport		8
Outstanding from previous period / En suspens depuis la période antérieure		1
TOTAL		9
Completed during reporting period / Traitées pendant la période visées par le rapport		7
Carried forward / Reportées		2

II Disposition of requests completed / Disposition à l'égard des demandes traitées				
1	All disclosed / Communication totale		6	Unable to process / Traitement impossible
2	Disclosed in part / Communication partielle	6	7	Abandoned by applicant / Abandon de la demande
3	Nothing disclosed (excluded) / Aucune communication (exclusion)		8	Treated informally / Traitement non officiel
4	Nothing disclosed (exempt) / Aucune communication (exemption)		TOTAL	
5	Transferred / Transmission			
				7

III Exemptions invoked / Exceptions invoquées							
S Art 13(1)(a)		S Art 16(1)(a)		S Art. 18(b)		S Art 21(1)(a)	1
(b)		(b)		(c)		(b)	1
(c)		(c)		(d)		(c)	
(d)		(d)		S Art 19(1)	3	(d)	
S Art 14		S Art. 16(2)	1	S Art. 20(1)(a)		S Art 22	1
S 15(1) International rel. / Art Relations interm.	1	S Art 16(3)		(b)		S Art 23	2
Defence / Défense		S Art. 17		(c)		S Art 24	
Subversive activities / Activités subversives		S Art. 18(a)		(d)		S Art 26	

IV Exclusions cited / Exclusions citées			
S Art 68(a)		S Art. 69(1)(c)	
(b)		(d)	
(c)		(e)	
S Art 69(1)(a)		(f)	
(b)		(g)	

V Completion time / Délai de traitement		
30 days or under / 30 jours ou moins		4
31 to 60 days / De 31 à 60 jours		1
61 to 120 days / De 61 à 120 jours		1
121 days or over / 121 jours ou plus		1

VI Extensions / Prorogations des délais		
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Searching / Recherche	2	4
Consultation		3
Third party / Tiers		2
TOTAL	2	9

VII Translations / Traduction		
Translations requested / Traductions demandées		0
Translations prepared / Traductions préparées	English to French / De l'anglais au français	
	French to English / Du français à l'anglais	

VIII Method of access / Méthode de consultation		
Copies given / Copies de l'original		6
Examination / Examen de l'original		
Copies and examination / Copies et examen		

IX Fees / Frais			
Net fees collected / Frais net perçus			
Application fees / Frais de la demande	\$35 00	Preparation / Préparation	
Reproduction		Computer processing / Traitement informatique	
Searching / Recherche		TOTAL	35.00
Fees waived / Dispense de frais		No. of times / Nombre de fois	\$
\$25 00 or under / 25 \$ ou moins			\$
Over \$25 00 / De plus de 25 \$			\$

X Costs Coûts		
Financial (all reasons) / Financiers (raisons)		
Salary / Traitement	\$	23376
Administration (O and M) / Administration (fonctionnement et maintien)	\$	2500
TOTAL	\$	25876
Person year utilization (all reasons) / Années-personnes utilisées (raison)		
Person year (decimal format) / Années-personnes (nombre décimal)		.23

PART B

INTERPRETATION/EXPLANATION

This Part provides a narrative explanation of some of the figures appearing on the Statistical Report (Part A). The item numbers which follow correspond to the numbers on the Statistical Report.

I Received During Reporting Period

During the reporting period, the Board received eight requests under the *Access to Information Act* and there was one request outstanding from the previous reporting period. The Board also received 17 third party requests, which required significant resources to process.

II Disposition of Requests Completed

The Board disclosed all documents requested.

V Completion Time

The requests in 2007–2008 were completed in the following timeframes:

- 4 within 30 days or less;
- 1 within 31 to 60 days;
- 1 within 61 to 120 days; and
- 1 took 121 days or over.

The NEB found it necessary to seek an extension to the prescribed time limit to search through a large volume of records.

IX Fees

For this reporting period \$35.00 in fees were collected.

X Costs

The costs incurred for handling the requests and administrative matters dealing with Access to Information totaled \$25,876.00 for 687 hours. These costs also include the resources required to process 17 third party requests.

The Board estimates that 687 hours equates to 0.23 person year.

PART C

SUPPORTING DOCUMENTATION

I General

The National Energy Board (the Board) is a regulatory tribunal and a court of record. All applications and other documents filed with the Board are public and are readily available for inspection. Since its inception, the Board has maintained its policy of providing information, a) wherever possible, b) on request, and c) promptly.

In addition to providing information on request, the Board has its own program of disseminating information on various aspects of its regulatory functions. This program includes the publication of 47 news releases during the reporting period, an Annual Report that covers calendar year 2007, an Internet site www.neb-one.gc.ca , and the Regulatory Agenda publication on a quarterly basis.

The Board encourages the public to request information informally rather than formally under official *Access to Information Act* requests. Although the proclamation of the *Access to Information Act* has had no impact on the standards that the Board has set for itself in its public relations, there are measures in place to administer the Act. These measures are described in the following sections.

II Organization of Access to Information Activities

Activities relating to the *Access to Information Act* are the responsibility of the Secretary of the Board, who has been designated as the Coordinator. Effective January 2008, a new role as ATIP Analyst and Executive Support Officer has been created to assist the Secretary of the Board in ATIP requests. In addition, Board's Legal Counsels provide advice and employees contribute with technical information as required.

New software has also been installed to better assist in processing, reporting and managing ATIP requests.

III Implementation of the Access to Information Act

The proclamation of the *Access to Information Act* has had little impact on the Board's public relations program or the Board's policy on information dissemination. The only impact has been of an administrative nature: procedures are in place to deal with requests received, staff and management are aware of the requirements of the Act and of the Board's procedures, and one reading room is designated.

IV Formal/Informal Interface

The Board receives numerous requests for information each month. Some are of a complex nature, requiring research and co-ordination with other business units, and the average response time is 30 working days.

V Institutional Policies

The Board has formalized its administrative procedures in the form of a manual, which was undertaken in order to ensure requests are processed in accordance with the applicable delegation documents and legislative authorities.

VI Delegation Instrument

The Secretary has been designated to exercise the powers and perform the duties and functions of the Chair as head of a government institution under the Act, except for the power to refuse access to a record requested based on a discretionary exemption under the *Access to Information Act*. Where the Secretary does not intend to give access to a record requested based on a discretionary exemption under the Act, the Secretary shall refer the request to the Executive Team, which Team shall have the power to grant or refuse access to the record.

A copy of the Designation Order and a Designation Replacement Order are attached as Appendix I and Appendix II, respectively.

VII Training

There were no training activities undertaken in 2007-08.

APPENDIX I

NATIONAL ENERGY BOARD

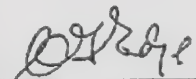


OFFICE NATIONAL DE L'ÉNERGIE

ACCESS TO INFORMATION ACT DESIGNATION ORDER

The Chairman of the National Energy Board, pursuant to Section 73 of the Access to Information Act* hereby designates the person holding the office of Secretary of the National Energy Board to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act save and except the power to refuse access to a record requested under the Act. Where the Secretary does not intend to give access to a record requested under the Act, he shall refer the request to the Standing Committee on Regulatory Process which Committee shall have the power to grant or refuse access to the record.

Dated at Ottawa this 16 day of March, 1983.



C.G. Edge
Chairman

* S.C. 1980-81-82 c. 111

National Energy
Board



Office national
de l'énergie

ACCESS TO INFORMATION ACT DESIGNATION REPLACEMENT ORDER

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The Chairman of the Board, pursuant to Section 73 of the Access to Information Act* hereby designates the person holding the office of Secretary of the Board to exercise the powers and perform the duties and functions of the Chairman as head of a government institution under the Act save and except the power to refuse access to a record requested based on a discretionary exemption under the Act. Where the Secretary does not intend to give access to a record requested based on a discretionary exemption under the Act, he shall refer the request to the Executive Team which Team shall have the power to grant or refuse access to the record.

The Discretionary exemptions are introduced in the Act by the phrase "the head of a government institution may refuse to disclose..."

Dated at the City of Calgary, in the Province of Alberta, this 15th day of October 2002.

A handwritten signature in black ink, appearing to read "Ken Vollman".

Kenneth W. Vollman
Chairman

* S.C. 1980-81-82 c.111

II PRIVACY

PART A

STATISTICAL REPORT

During the fiscal year 1 April 2007 to 31 March 2008, the National Energy Board (the Board) received no requests for information under the *Privacy Act*. Pertinent administrative information is provided in the Statistical Report on the next page.

Institution National Energy Board/Office national de l'énergie		Reporting period / Période visée par le rapport April/avril 2007 to March/mars 2008	
---	--	--	--

**I Requests under the Privacy Act /
Demandes en vertu de la Loi sur la protection
des renseignements personnels**

Received during reporting period / Reçues pendant la période visée par le rapport	0
Outstanding from previous period / En suspens depuis la période antérieure	0
TOTAL	
Completed during reporting period / Traitées pendant la période visées par le rapport	0
Carried forward / Reportées	0

**IV Exclusions cited /
Exclusions citées**

S. Art. 69(1)(a)	
(b)	
S. Art. 70(1)(a)	
(b)	
(c)	
(d)	
(e)	
(f)	

**VII Translations /
Traductions**

Translations requested / Traductions demandées		
Translations prepared /	English to French / De l'anglais au français	
Traductions préparées	French to English / Du français à l'anglais	

**II Disposition of request completed /
Disposition à l'égard des demandes traitées**

1. All disclosed / Communication totale	
2. Disclosed in part / Communication partielle	
3. Nothing disclosed (excluded) / Aucune communication (exclusion)	
4. Nothing disclosed (exempt) / Aucune communication (exemption)	
5. Unable to process / Traitement impossible	
6. Abandoned by applicant / Abandon de la demande	
7. Transferred / Transmission	
TOTAL	

**V Completion time /
Délai de traitement**

30 days or under / 30 jours ou moins	
31 to 60 days / De 31 à 60 jours	0
61 to 120 days / De 61 à 120 jours	
121 days or over / 121 jours ou plus	

**IX Corrections and notation /
Corrections et mention**

Corrections requested / Corrections demandées	
Corrections made / Corrections effectuées	
Notation attached / Mention annexée	

**III Exemptions invoked /
Exceptions invoquées**

S. Art. 18(2)	
S. Art. 19(1)(a)	
(b)	
(c)	
(d)	
S. Art. 20	
S. Art. 21	
S. Art. 22(1)(a)	
(b)	
(c)	
S. Art. 22(2)	
S. Art. 23 (a)	
(b)	
S. Art. 24	
S. Art. 25	
S. Art. 26	
S. Art. 27	
S. Art. 28	

**VI Extentions /
Prorogations des délais**

	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Interference with operations / Interruption des opérations		
Consultation		
Translation / Traduction		
TOTAL		

**X Costs /
Coûts**

Financial (all reasons) / Financiers (raisons)	
Salary / Traitement	\$
Administration (O and M) / Administration (fonctionnement et maintien)	\$
TOTAL	\$ 0
Person year utilization (all reasons) / Années-personnes utilisées (raisons)	
Person year (decimal format) / Années-personnes (nombre décimal)	

PART B

INTERPRETATION/EXPLANATION

This Part provides a narrative explanation of some of the figures appearing on the Statistical Report (Part A). The item numbers which follow correspond to the numbers on the Statistical Report.

I Received During Reporting Period

Not applicable.

II Disposition of Request Completed

Not applicable.

V Completion Time

Not applicable.

X Costs

Not applicable.

PART C

PRIVACY IMPACTS ASSESSMENTS AND PRELIMINARY PRIVACY IMPACT ASSESSMENTS

The Board has not initiated or completed any Privacy Impacts Assessments or Preliminary Privacy Impact Assessments. Consequently, no Privacy Impacts Assessments were forwarded to the Office of the Privacy Commissioner.

PART D

DATA MATCHING AND SHARING ACTIVITIES

The Board has not undertaken any new data matching and sharing activities.

PART C

SUPPORTING DOCUMENTATION

Activities relating to the *Privacy Act* are the responsibility of the Secretary of the Board, who has been designated as the Coordinator. Effective January 2008, a new role as ATIP Analyst and Executive Support Officer has been created to assist the Secretary of the Board in Privacy requests. In addition, the Board's Legal Counsels and staff members of Personnel are available to provide advice, as required. All the individuals have other responsibilities in addition to those described above.

The Chair of the Board also delegated to the Secretary the authority to exercise his powers and perform his duties and functions in relation to the *Privacy Act*. This procedure is cited in the Designation Order, a copy of which is attached as Appendix I.

The proclamation of the *Privacy Act* has required the Board to make the appropriate administrative arrangements to deal with requests received. The Board's staff is aware of the requirements of the *Privacy Act* and the procedures to follow in order to handle all requests appropriately.

New software has also been installed to better assist in processing, reporting and managing Privacy requests.

There were no training activities undertaken in 2007-08.

APPENDIX I

NATIONAL ENERGY BOARD

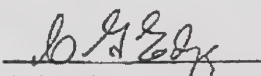


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C.G. Edge
Chairman

